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Madame Chairman:

The University of London* greatly appreciates the opportunity to address the States Parties to the Convention. The standing agenda item on *Strengthening National Implementation* opens up the possibility, for this Meeting of Experts and for the Meeting of States Parties in December, of the discussion going beyond existing measures. This contribution falls within sub item *e: any potential further measures, as appropriate, relevant for implementation of the Convention* and also addresses the 2012-2013 agenda item on CBMs.

States Parties are rightly busy implementing the Convention. They should also be busy reassuring one another that their own implementation is working well, and demonstrates their own compliance.

One of the key means through which compliance is actively demonstrated multilaterally is the national compliance reports submitted by States Parties to the quinquennial Review Conferences. Demonstrating compliance, however, involves more than just providing information. It involves **communication**, and this entails at least two actors, one providing information and one receiving information. In the BWC context, there is currently no structure for States Parties to collectively consider the reports submitted and give feedback on them. States providing information do not know whether the kind of information they provide is reassuring to others, or whether they dismiss it as irrelevant.

A dedicated forum is needed in which States Parties can compare notes on how they are carrying out their obligations under the Convention, and consider, discuss and give feedback on one another's reports. Such a forum would provide an opportunity to offer comments constructively and amicably, not adversarially, and to learn from one another's implementation experience with a view to each state considering for itself where its own national implementation might be strengthened. In the course of such discussion, compliance assurance should be enhanced; or, alternatively, it may become clearer what additional information, not initially provided, would constitute more convincing evidence of compliance in the eyes of other States Parties.

It is essential to emphasise that States Parties would be invited, not instructed, to participate in the new forum. Nothing mandatory is being suggested. Nor is it assumed that take-up would be near-universal. Instead the assumption is that the forum would shape and channel a movement beyond the compliance assurance initiatives pioneered by Canada, Switzerland, the Czech Republic and France in recent years towards a gradually widening multilateralism.

Madame Chairman: The Confidence Building Measures (CBMs) of the Convention provide another opportunity for States Parties to continually demonstrate their compliance. The regular exchange of data they provide for strengthens compliance monitoring by maximising the transparency of national patterns of normal activity.

In the interest of maximizing transparency, and disseminating the relevant information as widely as possible, many States Parties are now making their CBM

returns publicly available or are working toward doing so. Making these submissions public can greatly enhance their function. Restricting access to CBM returns risks building suspicion rather than confidence among important stakeholders, and misses an opportunity to engage these same stakeholders in processes that might actually enhance the quality and completeness of the information submitted.

Given, however, that most CBM returns will continue to be published on the restricted area of the BWC website, the CBMs will only enable limited transparency. They cannot be utilized by the BWC community as a whole. In an effort to remedy this, the current mandate of the ISU should be expanded from “compiles and distributes data on CBMs” to “compiles, analyses and distributes data on CBMs” to allow for an objective trend analysis that highlights qualitative and quantitative aspects without making reference to individual countries.

Transparency is about something more than just the availability of relevant information. It is also about analysing that information, and ensuring that any outstanding questions are answered. There is currently little knowledge of how States Parties use the completed returns submitted by other states. We do not know to what extent States Parties feel these measures provide the necessary level of transparency or whether they actually build confidence. We do not know if the shortage of arrangements for translation out of the language of submission is a hindrance to their use. We do not have periodic, collective reviews of the returns and opportunities to seek clarification about the information submitted.

A dedicated forum is needed in which States Parties can consider, discuss and give feedback on one another's CBM returns on a regular basis. Like the forum on national compliance reports, States Parties would be invited, not instructed, to participate and the emphasis would be on offering comment constructively and amicably, not adversarially. The “cycles of engagement” these forums establish would build a clearer picture of how national compliance reports and CBMs operate in practice, and whether they inspire a satisfactory level of confidence. Once this emerges, an expert working group could be established to develop a clearer, collective vision of their purpose and longer-term evolution.

Madame Chairman, distinguished delegates:

It is with great pleasure we invite you to a lunchtime seminar and launch of a policy brief to continue our discussion on compliance with the BWC. The side event immediately follows this session and will take place in Room XXIII. We are aiming for an informal, frank and lively dialogue, and encourage you all to attend.

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* The University of London dates from 1836, and is a major component of the higher education sector in the United Kingdom and beyond. It has evolved into a confederation of academically and financially autonomous colleges, which continue to share some central University of London institutions and a long history of joint endeavours in education and research. King's College London (founded 1829) was one of the two original colleges of the University of London. The London School of Economics & Political Science (founded 1895) became a college of the University of London in 1900.